

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIGUEL GUTERREZ AND
YOLANDA GUTIERREZ,

Defendants.

8:13-CR-249

ORDER

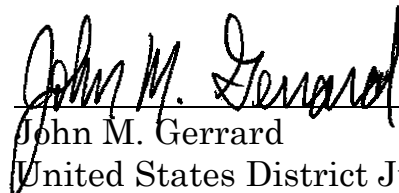
This matter is before the Court on the plaintiff's Motion to Dismiss Forfeiture Allegation (filing [153](#)). In support of its motion, the plaintiff represents that the money that is the subject of the forfeiture allegation against the above-captioned defendants has been administratively forfeited by the Drug Enforcement Administration, so a judicial forfeiture action cannot proceed. *See* [19 U.S.C. § 1609\(b\)](#). Therefore, the Court will grant the plaintiff's motion.

IT IS ORDERED:

1. The plaintiff's Motion to Dismiss Forfeiture Allegation (filing [153](#)) is granted.
2. The forfeiture allegation of the operative indictment (filing [1-2](#)) is dismissed as to defendants Miguel Gutierrez and Yolanda Gutierrez.

Dated this 3rd day of January, 2014.

BY THE COURT:



John M. Gerrard
United States District Judge